SENATE, No. 265

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Senator THOMAS H. KEAN, JR.
District 21 (Morris, Somerset and Union)
Senator NELLIE POU
District 35 (Bergen and Passaic)

Co-Sponsored by:
Senators Corrado and Greenstein

SYNOPSIS

Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes.

CURRENT VERSION OF TEXT

As reported by the Senate Economic Growth Committee with technical review.

(Sponsorship Updated As Of: 1/7/2021)

AN ACT concerning certain power restoration practices of electric public utilities and supplementing Title 48 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in P.L. , c. (C.) (pending before the Legislature as this bill):

"Assisted living facility" means an assisted living residence or comprehensive personal care home licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

"Board" means the Board of Public Utilities or any successor agency.

"DNA" means deoxyribonucleic acid.

"Electric public utility" means a public utility, as that term is defined in R.S.48:2-13, that transmits and distributes electricity to end users within this State.

"Extended power outage" means an electric power outage lasting more than 24 hours.

"Facility" means an assisted living facility; hospital; chronic or acute renal dialysis facility; clinical or research laboratory or institute that stores human blood, other human tissue, or human DNA; or nursing home.

"Hospital" means hospital licensed pursuant to P.L.1971 c.136 (C.26:2H-1 et seq.).

"Major event" means a natural or humanly caused occurrence arising from conditions beyond the control of the electric public utility, including, but not limited to, a terrorist attack, thunderstorm, tornado, hurricane, flood, heat wave, snow storm, ice storm, or earthquake, which results in:

a. a sustained interruption of electric public utility service to at least 10 percent of the customers in an operating area or 10 percent of an electric public utility's customers within a municipality or county located in an operating area; or

b. the declaration of a state of emergency or disaster by the State or by the federal government.

"Nursing home" means a nursing home licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

2. a. The board shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations requiring an electric public utility to give priority to a facility for electric public utility power restoration after an extended power outage following a major event, except that power restoration efforts to a facility shall not divert efforts to restore power where needed to otherwise maintain overall public safety.

b. The rules and regulations adopted by the board pursuant to subsection a. of this section shall allow an electric public utility to exercise its discretion to prioritize power restoration to a facility after an extended power outage in accordance with the facility's needs and with the characteristics of the geographic area in which power shall be restored.

3. This act shall take effect 60 days following the date of enactment.